

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**FILED  
CLERKS OFFICE**

**CRIMINAL NO. 04-1809-CBS P 12: 24**

**U.S. DISTRICT COURT  
DISTRICT OF MASS.**

**UNITED STATES**

**V.**

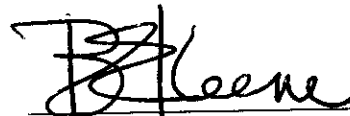
**CARLOS ESPINOLA**

**DEFENDANT'S MOTION TO DISMISS THE COMPLAINT**

Carlos Espinola, defendant in the above-captioned criminal case, hereby moves this Court, pursuant to 18 U.S.C. § 3162(a), to dismiss the complaint. The grounds for the instant motion are set forth in the accompanying memorandum of law.

Respectfully submitted,

Carlos Espinola  
By his attorney,



Bradford Eliot Keene,  
BBO # 629440  
Keene & Gizzi  
Attorneys at Law  
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**CERTIFICATE OF SERVICE**

I certify that I have served the foregoing document by providing a copy IN HAND to the office of the United States Attorney located at One Courthouse Way Boston, Massachusetts to the attention of AUSA David Tobin this 21<sup>st</sup> day of September, 2004.

  
Bradford Eliot Keene